

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,
Plaintiff,


CASE NO:00-6024-CR-FERGUSON
Magistrate Judge Seltzer

vs.

OSWALDO DELAROSA,
Defendant.

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MOTION FOR DISCOVERY AND INSPECTION

FILED
U.S. DIST. CT.
S.D. OF FLA.-FTL
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BY 

COMES NOW the Defendant, OSWALDO DELAROSA, by and through his undersigned attorney, and files this his Demand for Discovery and would hereby request that the Government provide the following information within the time limits provided for by Rule 16 of the Federal Rules of Criminal Procedure.

1. Complete list of the names and addresses of all persons known to the prosecutor to have information which may be relevant to the offense charged against the Defendant and to any defense with respect thereto regardless of whether the Government intends to call said persons at the time of the trial herein or not.

2. A copy of all statements, whether signed or unsigned, whether recorded or not, made by the persons requested in paragraph one hereof; including but not limited to police reports, transcripts of bond hearings, preliminary hearings, line-ups, initial appearances, Grand Jury testimony and proceedings, and

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statements given by all witnesses to the prosecuting attorney made during the investigation of the within case and/or during the course of preparation for trial.

3. A copy of any written or recorded statements and the substance of any oral statements made by the accused and known to the prosecutor together with the name and addresses of any witnesses to the statement.

4. A copy of any written or recorded statements and the substance of any oral statements made by a co-defendant if the trial herein is to be a joint one.

5. A copy of those portions of recorded Grand Jury minutes that contain testimony of the accused.

6. A copy of any tangible papers or objects which were obtained from or belong to the accused.

7. State whether there is any material or information which has been provided by a confidential informant, and if so, describe said information with particularity including but not limited to the basis for said informant's reliability.

8. State whether there has been any electronic surveillance, including wiretapping, of the premises of the accused, or of conversations to which the accused was a party, and if so, supply the undersigned with a copy of any and all documents relating thereto.

9. Describe and supply the undersigned counsel with all reports or statements of experts made in connection with this particular case, including results of physical or mental examinations and of scientific tests experiments or comparisons.

10. Describe and supply the undersigned counsel with a copy of any and all tangible papers or objects which the prosecuting attorney intends to use in the hearing or trial and which were not obtained from or belonged to the accused.

11. State whether any co-defendants have entered into negotiations with Government and what those pleas entailed where they affect the Defendant and to any defense with respect thereto regardless of whether the State intends to call said co-defendants at the time of the trial herein or not.

12. Any and all of the evidence in the possession of the Government which is "favorable" to the Defendant and material to the issue of guilty or innocence or to punishment in this cause, pursuant to the due process clause of the Fourteenth Amendment to the United States Constitution as interpreted by the United States Supreme Court in Brady v. Maryland, 373 U.S. 83 (1963), and subsequent cases, including the following materials:

- A) Any written or recorded statement by any person to the police or to the U.S. Attorney's office which tends to establish the Defendant's innocence or to impeach or contradict the testimony of any witness whom the U.S. will call at the trial of this cause.
- B) Any police investigation report made to the police which tends to establish the Defendants innocence or to impeach or contradict the testimony of any witness whom the U.S. will call at the trial of this cause.

- C) The names and addresses of witnesses who might establish the Defendant's innocence or to impeach or contradict any witness whom the U.S. will call at the trial of this cause.
- D) Any other information or material which would tend to establish the Defendant's innocence or to impeach or contradict the testimony of any witness whom the U.S. intends to call in the trial of this cause.
- E) The police booking sheet indicating the exact date, time, charge and other relevant data contained therein with reference to the Defendants arrest in this cause.

Respectfully submitted.

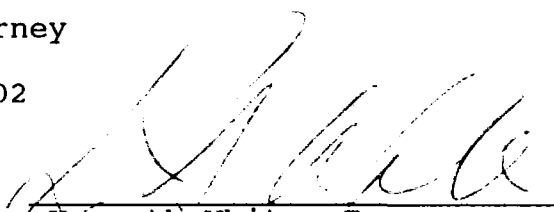
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By 
Kenneth White Esq.

I hereby certify that the preceding document was forwarded to the following parties this 17 day of February, 2000.

CERTIFICATE OF SERVICE

Roger Stefin AUSA
Office of the United States Attorney
500 E. Broward Blvd. Ste 700
Ft. Lauderdale, Florida 33394-3002


Kenneth White, Esq.